



#8
167/18/02

PATENT
ATTORNEY DOCKET NO. 045636-5027

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 15 2002

In re Application of:

Jean-Philippe DESLYS

TECH CENTER 1600/2900

Serial No.: 09/341,539

Group Art Unit: 1648

Filed: October 21, 1999

Examiner: Jeffrey S. Parkin, Ph.D.

For: Method for screening substances with therapeutic action in the treatment of transmissible subacute spongiform encephalopathies

Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT TRANSMITTAL FORM

1. Transmitted herewith is a Response to Restriction Requirement responding to the Office Action dated May 10, 2002 (Paper No. 7).
2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

07/18/2002 DTHOMAS 00000001 500310 09341539

01 FC:115

110.00 CH

Total Months

Requested

☒ one month

☐ two months

☐ three months

☐ four months

Fee for

Extension

\$ 110.00

\$ 400.00

\$ 920.00

\$1,440.00

[Fee for Small

Entity]

\$ 55.00

\$200.00

\$460.00

\$720.00

Extension of time fee due with this request: **\$110.00**

4. Fee Payment

- [x] The Commissioner is hereby authorized to charge the amount of **\$110.00** for a one-month extension of time and any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

5. Constructive Petition

- [x] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: July 10, 2002

By: Elizabeth C. Weimar
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PATENT

ATTORNEY DOCKET NO. 45636-5027-US

#9
DB
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jean-Philippe DESLYS *et al.*

Application No.: 09/341,539

Filed: October 21, 1999

For: **Method for screening substances with
therapeutic action in the treatment of
transmissible subacute spongiform
encephalopathies**

Group Art Unit: 1648

Examiner: Jeffrey S. Parkin, Ph.D.

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated May 10, 2002 (paper no. 7), the period for response to which is extended to July 10, 2002 by the accompanying petition and request for a one-month extension of time, Applicants hereby elect to prosecute claims 7-13, which are the claims of Group II (drawn to methods of protein isolation and purification), with traverse.

An authorization to charge the undersigned's deposit account to cover the cost of the one-month extension is also enclosed.